

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOHN DOE 1 and JANE DOE 1, in their own ) Civil Action No. 2:22-cv-00112-WSS  
capacity and as parent of CHILD DOE 1, )  
JOHN DOE 2 and JANE DOE 2, in their own )  
capacity and as parent of CHILD DOE 2, )  
JOHN DOE 3 and JANE DOE 3, in their own )  
capacity and as parent of CHILD DOE 3, )  
JOHN DOE 4 and JANE DOE 4, in their own )  
capacity and as parent of CHILD DOE 4 )  
JOHN DOE 5 and JANE DOE 5, in their own )  
capacity and as parent of CHILD DOE 5 and on )  
behalf of those similarly situated, )  
)  
Plaintiffs )  
)  
v. )  
)  
UPPER SAINT CLAIR SCHOOL DISTRICT, a )  
Pennsylvania governmental entity, PHILLIP J. )  
ELIAS, DAPHNA GANS, BARBARA L. BOLAS, )  
PATRICK A. HEWITT, LOUIS P. MAFRICE, JR., )  
MICHAEL R. MASCARO, ANGELA B. )  
PETERSEN, JENNIFER A. SCHNORE, )  
DANIELLE Z. WETZEL, all individual elected )  
officials sued in their official capacity as members )  
of the UPPER SAINT CLAIR SCHOOL )  
DISTRICT BOARD OF DIRECTORS, a )  
Pennsylvania elected legislative body, )  
)  
Defendants. )

## EMERGENCY NOTICE OF INTERLOCUTORY APPEAL

Notice is hereby given that JOHN DOE 1 and JANE DOE 1, in their own capacity and as parent of CHILD DOE 1, JOHN DOE 2 and JANE DOE 2, in their own capacity and as parent of CHILD DOE 2, JOHN DOE 3 and JANE DOE 3, in their own capacity and as parent of CHILD DOE 3, JOHN DOE 4 and JANE DOE 4, in their own capacity and as parent of CHILD DOE 4, JOHN DOE 5 and JANE DOE 5, in their own capacity and as parent of CHILD DOE 5, plaintiffs

in the above-named case, hereby appeal to the United States Court of Appeals for the Third Circuit from: (1) the January 21, 2022 Order (Dkt. No. 15) denying Plaintiffs' Motion for an Emergency Temporary Restraining Order.

Respectfully submitted,

/s/Kenneth R. Behrend  
Kenneth R. Behrend  
Counsel for Plaintiffs  
Pa. I.D. No. 37961  
BEHREND LAW GROUP LLC  
The Pittsburgher, Suite 1700  
428 Forbes Avenue  
Pittsburgh, PA 15219  
(412) 391-4460  
[krrbehrend@behrendlawgroup.com](mailto:krrbehrend@behrendlawgroup.com)

Dated: January 21, 2022